

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 216

list are also allowed to render a finding on casualty. These changes are being done in response to a 1998 Supreme Court case which simply put stated that the court must only refer issues to the independent medical examiner after the employee's liability has been established. This basically cuts the heart out of the purpose of the independent medical examiner system. And we are making these changes to hopefully enable the system to do what was originally intended when the bill was passed. Another change made in the bill is to address a situation that has arisen since the passage of LB 757 and relates to the issue of assessments against self-insured employers for the purpose of a Compensation Court Cash Fund. This cash fund is supported by assessments based on the prevailing premium... "prevailing premium rate". This same system is used for the premium tax paid by insurers that goes to the General Fund as well as the in lieu of premium tax against self-insurers. Due to the changes in the insurance industry, it is no longer possible to determine the prevailing premium rate, so the bill changes the method of determining the use of... use to perspective lost cost, which is defined in the bill. The percentages are also changed, but this is being in done in a manner expected to be revenue neutral. Along with that, there are a few other major housekeeping changes that are made in the bill, and one of these is to require a majority vote of all the judges in comp court, and all the judges have to agree in order to make necessary changes in rules and regulations. Another removes an unnecessary fee which those who wish to receive notice of the hearing on proposed rules and regulation. This bill was heard in the Business and Labor Committee. There was no opposition to the... in the committee at the committee hearing, and the bill came out of the committee without any no votes. And, with that, I would urge advancement and answer any questions that.... I recognize that this is a somewhat complicated piece of legislation. But, as I indicated at the opening, it is mainly, primarily cleanup language that in fact does some of the things that have since been identified that need to be done in the work comp area. So, with that, I'd try to answer any questions that anyone might have.

SPEAKER KRISTENSEN: Mr. Clerk.

CLERK: Senator Vrtiska would move to amend with AM0721,